

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

STEPHEN BUSHANSKY,

Plaintiff,

v.

GENON ENERGY, INC., *et al.*,

Defendants.

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CIVIL ACTION H-12-2257

ORDER


The parties' joint request to stay the case (Dkts. 16, 17) is GRANTED.

It is therefore ORDERED that defendants' motions to dismiss for failure to state a claim (Dkts. 12–13) are DENIED WITHOUT PREJUDICE AS MOOT.

It is further ORDERED that this cause of action is STAYED and administratively (statistically) closed pending the later of: (1) the adjudication in *GenOn Energy, Inc. Shareholders Litigation*, Consolidated C.A. No. 7721-VCN (the "Delaware Action") of any motion to enjoin the shareholder vote and/or the merger, or (2) the final settlement of the Delaware Action.

It is so ORDERED.

Signed at Houston, Texas on October 25, 2012.



Gray H. Miller
United States District Judge